

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA,

vs.

CR. NO. 99-299-02(PG)

BENJAMIN BERMUDEZ-ANDINO

* * * * *

**MOTION NOTIFYING SUPERVISED RELEASE VIOLATIONS
AND REQUEST FOR THE ISSUANCE OF AN ARREST WARRANT**

**TO THE HONORABLE JUAN PEREZ-GIMENEZ
U.S. DISTRICT JUDGE
DISTRICT OF PUERTO RICO**

COMES NOW, Benjamín Bonilla, United States Probation Officer of this Honorable Court, presenting an official report upon the conduct of Mr. Benjamín Bermudez-Andino, who on March 3, 2000, was sentenced by your honor to sixty (60) months of imprisonment after he pled guilty of violating Title 21, U.S. Code, § 846. A six (6) year supervised release term and a special monetary assessment in the amount of \$100.00 were also imposed. On February 19, 2004, Mr. Bermudez- Andino was released from custody at which time he commenced his supervised release term.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS
FOLLOWS:**

On August 25, 2004, Mr. Bermudez-Andino was arrested after a warrant for his arrest had been issued by Your Honor on June 15, 2004. On August 27, 2004, he appeared before The Honorable Aida Delgado, United States Magistrate Judge for a preliminary hearing. At that time, The Honorable Aida Delgado, allowed for Mr. Bermudez to be placed in an inpatient drug treatment program. On August 30, 2004, he was released, from the Bureau of Prisons, to the custody of Program Director Mr. Erick Santos. On September 3, 2004, Mr. Bermudez left the program without permission and never returned. Treatment personnel have no idea of his whereabouts. All efforts made by this officer to contact the offender, thereafter, have been fruitless.

WHEREFORE, I declare under the penalty of perjury that the forgoing is true and correct. In lieu of the aforementioned, it is respectfully requested that a warrant for the offender's arrest be issued so that he may be brought before this Honorable Court to show cause why his supervision term should not be revoked. Thereupon, he to be dealt with pursuant to law.

In San Juan, Puerto Rico, this 14th day of January 2005.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF
U.S. PROBATION OFFICER

S/ Benjamín Bonilla
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CERTIFICATE OF SERVICE

I HEREBY certify that on January 14, 2004, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:
Sonia Torres, Assistant U.S. Attorney and to Joannie Plaza-Matinez, Assistant Federal Public Defender.

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